

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE OCUGEN, INC. DERIVATIVE LITIGATION
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Lead Case No. 2:21-cv-03876

**JOINT STIPULATION AND ORDER CONTINUING STAY AND  
STATUS REPORT**

WHEREAS, by Stipulation and Order dated September 20, 2021 (ECF No. 11) and so ordered by the Court on April 12, 2022 (ECF Doc. No. 13) (the “Stay Order”), this Court stayed this action pending resolution of the motion to dismiss in the consolidated securities action, *In re Ocugen Securities Litigation*, Master File 21-2725 (E.D. Pa.) (the “Securities Litigation”). The Stipulation further provided that counsel would notify the Court within fifteen (15) days of the order on the motion to dismiss filed in the Securities Litigation;

WHEREAS, by Stipulation and Order dated October 19, 2021 and so ordered by the Court on April 12, 2022 (ECF Doc. No. 14), this Court consolidated a second related action, applied the Stay Order to the related action, and appointed lead counsel;

WHEREAS, on March 3, 2023, this Court issued a decision granting the motion to dismiss in the Securities Action (*see* ECF Doc Nos. 53-54 in the Securities Litigation);

WHEREAS, the time to appeal the order in the Securities Action has not expired;

WHEREAS, the Parties respectfully submit that, in the interests of judicial economy and to conserve the resources of the Court and the parties, the stay be continued during the pendency of any appeal of the order and memorandum in the Securities Litigation;

WHEREFORE, the Parties, through their undersigned counsel, hereby agree, stipulate, and respectfully request that the Court enter an Order as follows:

1. That the Stay Order (ECF Doc. No. 13) remain in effect pending the filing and resolution of any appeal filed in the Securities Litigation and that all the conditions set forth in the Stipulation and Order Consolidating the Actions remain in effect (ECF Doc. No. 14).

2. In the event that an appeal is not filed in the Securities Litigation, the stay will continue for a period of thirty (30) days after the expiration of the time for the plaintiffs to appeal such Order in the Securities Litigation, by which time the parties will provide the Court with an updated status report.

Dated: March 15, 2023

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Dated: March 14, 2023

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IT IS SO ORDERED this 16th day of March , 2023.

/s/ **Chad F. Kenney**

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**CHAD F. KENNEY, JUDGE**

**PROOF OF SERVICE**

I hereby certify that on this 15th day of March 2023, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

*s/ Lee Albert*  
Lee Albert